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Economic and Social
Council

Distr.
GENERAL

E/CN.4/2002/NGO/191
20 February 2002

ENGLISH ONLY

COMMISSION ON HUMAN RIGHTS
Fifty-eighth session
Item 6 of the provisional agenda

RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND ALL FORMS OF DISCRIMINATION

Written statement* submitted by Servas International, a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 Febuary 2002]

*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE. * 2 0 0 2 0 1 1 1 0 1 *
ENG

Servas International, referring to Item 6 'Racism, racial discrimination, xenophobia and all forms of discrimination', has the honour to inform the Fifty-eighth session of the Commission on Human Rights that Servas (an Esperanto word meaning 'serve') is a world-wide, non-profit, non-governmental cooperative system of hosts and travellers set up with the purpose of helping to build world peace, goodwill, understanding and mutual tolerance, and that its activity consists of making it possible for its members to meet people of all continents, of all races, all religions and all political opinions.

Servas International facilitates the meeting of people of different origins. It puts at the disposal of its members lists of hosts who in over 100 countries on all continents are willing and happy to open the doors of their homes to travellers from all countries. Thus contacts can be established by person to person, by family to family, often resulting in lasting friendships between people of different origins.

Servas International considers this activity to be a significant contribution to peace in the world. This was the intention of the founders of the movement in 1949 (In 1999 the movement's 50th anniversary was celebrated by members all over the world.). In the future it is hoped that even more doors will be opened; that more hosts anhd travellers will be interested in the sharing of ideas and ideals with one another in order to understand better the diversity of humankind, in the ultimate interest of world peace.

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E/CN.4/2002/NGO/192
20 February 2002

ENGLISH ONLY

COMMISSION ON HUMAN RIGHTS
Fifty-eighth session
Item 18 of the provisional agenda

EFFECTIVE FUNCTIONING OF HUMAN RIGHTS MECHANISMS

Written statement* submitted by the Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[17 February 2002]

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*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE. * 2 0 0 2 0 1 1 1 0 3 *

ENG

The Credibility of International Human Rights Protection Mechanisms in Danger

The principal challenge to the notion of the universality of human rights in the last decade was cultural relativism. Yet, different governmental and non-governmental actors have contributed largely to the establishment of firmer foundations for a wider international consensus on human rights principles. However, there are serious obstacles threatening to undermine such universality: the politicisation of human rights and double standards. They are most evident in excluding a certain state from being held accountable for its gross human rights violations and endowing it with impunity – Israel.

This situation begs the question: are we all in fact guided by the same universal principles and values? Are we all covered by the same human rights protections mechanisms? Theoretically the answer may be a yes, but on the ground it is impossible to give the same answer. This is what jeopardises the efficiency of the human rights mechanisms most.

The international community needed only six months to force Iraq out of Kuwait, and some other months to intervene in Kosovo and twenty-six days to wage a war against Afghanistan, while it lacks the minimum political will required to enforce resolutions some of which have been adopted more than half a century ago: Resolution 194 of 1948 stipulating the return of the Palestinian refugees; Resolution 181 of 1947 on the partition of Palestine; and Resolution 242 of 1967 requiring that Israel withdraw from the West Bank, Gaza, Jerusalem and the Golan Heights. The last two resolutions have great bearing on enabling the Palestinian people to exercise their right to self-determination.

The international community has never tolerated such blackmailing by a state that threatens international peace and security, starts wars, occupies lands, and commits acts of aggression almost daily. This is in addition to the number of collective massacres and acts of ethnic cleansing it perpetrated (as confessed to by its political leaders and evidenced by its academic historians), which led to the displacement of millions of refugees. And yet the international community is not able to subject it to the same standards of accountability applied to the rest of the world.

This is in addition to the nature of the racist and apartheid regime established in Israel and the occupied territories since 1967. This regime rests on a legislative system that institutionalises the racist social structure in the fields of property, economy, employment, housing, education, thus creating within Israel first and second-class citizenships according to religious/national affiliation. This racism is also reflected in the denial of the indigenous people's right to return, the persistent intention to annex Jerusalem, the discrimination against Arab inhabitants of Jerusalem and in the transformation of the Palestinian occupied territories to "Bantustans" by force. Forms of systematic oppression against the Palestinian people are monitored in reports by international, Palestinian and some Israeli human rights NGOs, the International Fact-finding Committee, the High Commissioner for Human Rights and the United Nations Special Rapporteur in the Occupied Territories.

The UN General Assembly, Security Council, the UN Commission on Human Rights and other human rights UN bodies have variously adopted several positive resolutions against Israel and in support of the Palestinian people1. For half a century, all of them have remained a

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1 For example: the return of the refugees; withdrawal from the occupied territories; the illegality of settlements, the annexation of East Jerusalem and land confiscation; the condemnation of: blowing up homes, collective punishments, attacking holy sites, torture, extra-judicial killings, etc.

dead letter2. In fact, any draft resolution seeking to oblige Israel to enforce any of these resolutions was met with a veto, at the same time when other countries have been successfully brought to abide by international standards (such as Iraq, former Yugoslavia, Indonesia).

Given such brutal smothering of the spirit of the Palestinian people in the last few months, some of the Holocaust phraseology (such as concentration camps) has been increasingly reiterated in the writings of liberal Israeli writers who are looking with awe at the low depths to which their state is descending. This is especially so since some political circles (including two Israeli cabinet ministers) has put forwards new plans for transferring and evacuating the Palestinians from the West Bank and Gaza, as well as the Arabs in Israel. This may foreshadow a new wave of ethnic cleansing.

It has happened before that the conscience of the international community awakens late from its slumber. It happened with the crimes against humanity that were committed during World War II and on several other occasions. And here we witness it doing the same again, with its silence encouraging the continuation of the Israeli organised oppression of the Palestinians for over half a century. It is a shocking irony to human conscience that the atrocities of the World War II were a reason for the adoption of the Universal Declaration of Human Rights and the four conventions of the international humanitarian law, and yet the children and relatives of some of the victims of those atrocities refuse to abide by the principles enshrined in these instruments and do not accept that their state may be held accountable according to them.

This would have never been possible if it were not for the special protection accorded to Israel by the United States, especially in the Security Council, in addition to a European attitude that wavers between verbal condemnation and connivance. This ensures that dozens of resolutions remain empty rhetoric, and secures Israel's impunity, while the Palestinian people continue bleeding.

In this context it could be understood why people in the Arab World ridicule the repeated talk of human rights universality and international protection of human rights, or consider it an additional aspect of a wide-ranging international conspiracy against the peoples of the region. It also becomes comprehensible how some of the governments in the region are not brought to account by their peoples, despite the fact that their human right records are among the worst in the world.

The universality of human rights and credibility of the international protection mechanisms are in danger. The continued exemption of Israel from being held accountable constitutes an example employed and produced by other states. This puts the whole international system before serious hazards, leads to the sacrifice of human rights and the international humanitarian law and undermines peace and security in the region.

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2 For example, the UN General Assembly has reaffirmed its Resolution 194 of 1948 concerning the return of the Palestinian refugees 110 times. Yet, for 53 years not a single step was taken to oblige Israel to enforce it.

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Economic and Social
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Distr.
GENERAL

E/CN.4/2002/NGO/193
20 February 2002

ENGLISH AND FRENCH ONLY

COMMISSION ON HUMAN RIGHTS
Fifty-eighth session
Item 11 of the provisional agenda

CIVIL AND POLITICAL RIGHTS

Written statement* submitted by the International Federation for Human Rights (FIDH), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 January 2002]

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*/ This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE. * 2 0 0 2 0 1 1 1 0 5 *

ENG

Vietnam : Systematic Repression of Fundamental Freedoms and the Rights of Human Rights Defenders

The International Federation of Human Rights Leagues (FIDH), and the Vietnam Committee on Human Rights (FIDH affiliate) are deeply concerned by the widespread and continuing human rights violations in the Socialist Republic of Vietnam (SRV). Throughout the past year, violations of the rights of freedom of opinion, expression, religion, association and peaceful assembly have intensified, and political repression has been used on a widespread scale to suppress all forms of peaceful dissent.

These grave human rights abuses are not isolated incidents of local Police or official excess, but the results of a deliberate policy orchestrated at the highest levels of the Communist Party and the State. This policy is inconsistent with the International Covenant on Political and Civil Rights.

Fundamental freedoms are severely curtailed by a whole range of regulations, particularly by legislation under the catch-all notion of "national security". The SRV Criminal Code contains vaguely-defined and arbitrary offences such as "sowing division between religious believers and non-believers"... "undermining national solidarity" (Article 87), "circulating anti-socialist propaganda" (Article 88), "abusing democratic rights to encroach upon the interests of the State" (Article 258) ... The UN Working Group on Arbitrary Detention and the Special Rapporteur on Religious Intolerance both denounced the prejudice these articles bear on the exercise of fundamental freedoms ("Visit to Vietnam", 1995, Ref. E/CN.4/1995/31/Add.4 and "Visit to Vietnam", 1998, Ref. E/CN.4/1999/58/Add.2) because of their broadly definition which makes no distinction between the peaceful, legitimate exercise of fundamental freedoms and truly reprehensible offences.

Under Decree 31/CP on "Administrative Detention" (adopted on 14.4.1997), local Police have extra-judicial powers to arrest and detain anyone suspected of "threatening national security" for 6 – 24 months without a Court order. This text is routinely invoked to restrict fundamental freedoms.

Regarding the right of freedom of association, on October 17, 2001, Communist reformist Tran Khue was sentenced to two years "administrative detention" because he filed an application to form an independent anti-corruption association in September 2001 along with Pham Que Duong in response to an anti-corruption drive launched by the Communist Party. This request was filed at a time when corruption is crippling the whole country and provoking widespread peaceful protests. Throughout December 2001, for example, up to 600 peasants and farmers staged daily demonstrations to protest official corruption and land-confiscation outside the home of Communist Party Secretary Nong Duc Manh and in front of the National Assembly in Hanoi.

Despite this, Tran Khue's request was sanctioned by arrest and interrogation and continuous Police harassment against himself and fifteen other Communist reformists including former Lt.-General Tran Do, Colonel Pham Que Duong (military historian and former editor of the "Military History Review"), Hoang Minh Chinh (former Dean of the Hanoi Marxist-Leninist Institute), writer Hoang Tien, journalist Nguyen Vu Binh, geophysicist and political essayist Nguyen Thanh Giang and lawyer Lê Chi Quang. To explain these sanctions, the People's Army daily "Quan Doi Nhan Dan" published an article on October 22, 2001 criticising "politically and ideologically decadent and deteriorated Party cadres" and saying that their combat for democracy was "subversion". This newspaper is an official organ of the Vietnamese Communist Party and government.

Although freedom of the press is guaranteed in the SRV 1992 Constitution (Article 69), the press and media remain under the strict financial and political control of the Communist Party and State. Independent publications are prohibited. Former Lt.-General Tran Do and Buddhist monk Thich Quang Do filed applications to create independent journals in 1999, but both were refused.

Vietnamese journalists are forbidden to enter into even informal contact with foreign reporters without an authorisation from the Ministry of Culture and Information (Directive of 28 September 1997). A law passed in May 1999 commands journalists to pay compensation and/or publish retractions to persons damaged by their reports, even if their information is correct, thus obliging them to exercise self-censorship. In August 2001, new regulations that would more than triple the number of activities (from 200 to 650) defined as "offensive to Vietnamese culture" were proposed, including the possession of materials which "distort Vietnam's history or defame its national heroes".

Moreover, reporters, artists and intellectuals continue to be mobilised in government campaigns in support of the Marxist-Leninist revolution and all form of alternative expression is sanctioned. Explaining why Lt.-General Tran Do was expelled from the Communist Party, former Prime Minister Vo Van Kiet said : "Party members are not allowed to speak out on views that are not in line with Party policies". In June 2001, Security Police intercepted Tran Do in Saigon and subjected him to interrogation. They accused him of possessing "documents with subversive content" and confiscated the manuscript of his memoires containing his analysis of the Vietnamese Communist Party's Ninth Congress.

The 1992 SRV Constitution states that "All citizens shall enjoy freedom of belief and religion", but adds that "no-one can misuse beliefs and religions to contravene the law and State policies" (Article 70). Since the law and State policies are established and enforced by a one-party State which controls the executive, legislative and judiciary powers, this article imposes grave restrictions on the exercise of religious freedom. Acts of peaceful religious dissent are liable to be considered as "crimes against national security", punishable by harsh prison sentences, including life imprisonment or the death penalty. Moreover, independent religious organisations are banned and their members are routinely subjected to arrest, harassment, intimidation and administrative detention for engaging in "illegal" religious activities.

In 2001, whilst the government relaxed certain restrictions on freedom of worship, freedom of religion continued to be severely repressed. October 19th 2001, Roman Catholic priest Father Nguyen Van Ly was sentenced to 15 years in prison and 5 years probationary detention at a one-day unfair trial in the city of Hue on charges of "undermining national solidarity".

Several members of the Hoa Hao Buddhist sect were arrested and detained in 2001 for the peaceful exercise of their religious beliefs. On May 11th 2001, Truong Van Duc and Ho Van Truong were sentenced respectively to 12 and 4 years in prison. Ethnic Christians in the Northern and Central Highlands were banned from converting to Protestantism and many were arrested in February and March 2001 and subjected to beatings in prison for "illegally following religion". On September 26, 2001, 14 Montagnards were received sentences of 6 to 12 years in prison for "violating national security".

Buddhism, which is Vietnam's most widely practised religion, remained the major target of religious repression in 2001. Members of the Unified Buddhist Church of Vietnam (UBCV – the traditional, independent Buddhist organisation, banned since 1981) continued to confront the government on issues of religious freedom and human rights. The FIDH, on behalf of the Observatory for the Protection of Human Rights Defenders (a a joint FIDH/OMCT programme) and the Vietnam Committee are particularly concerned about the situation of two prominent Buddhist leaders, the Most Venerable Thich Huyen Quang, Patriarch of the UBCV and his Deputy, Nobel Peace Prize nominee Venerable Thich Quang Do, both of whom have spent over 20 years in prison or under house arrest for their outspoken advocacy of religious freedom, democracy and human rights.

In May-June 2001, a widespread crackdown was launched against UBCV members all over Central and Southern Vietnam. 115 UBCV Pagodas were surrounded and their phone lines were

cut. Monks and nuns were subjected to quasi-daily interrogations. This crack-down followed an appeal launched by Thich Quang Do for the return of UBCV Patriarch Thich Huyen Quang to Ho Chi Minh City to receive medical treatment for his high blood pressure, arthritis and stomach ulcers. 84-year-old Thich Huyen Quang was officially released from house arrest by Police order November 27, 1997, but he is still detained in the remote Central province of Quang Ngai. Thich Quang Do announced that he would personally travel to Quang Ngai to escort Thich Huyen Quang back to Ho Chi Minh City. 108 UBCV monks who attempted to travel with him were harassed, beaten and forcibly obstructed by Security agents and gangs of youths in connivance with the local Police.

On June 1st, 30 Security Police and local officials broke into the Thanh Minh Zen Monastery in Ho Chi Minh City and placed Thich Quang Do to two years "administrative detention" – a "reactivation" of a sentence for which he was amnestied in 1998. Thich Quang Do is currently detained incommunicado in his room. He is denied all contacts with the outside and not even allowed to visit the hospital to receive treatment for his diabetes, high blood pressure and stomach disorders. At the same time, government repression against the Buddhists reached such a pitch that a 61-year-old farmer, Ho Tan Anh, a leader of the lay "Buddhist Youth Movement" in Quang Nam province immolated himself in protest on September 2nd 2001.

Thich Quang Do's arrest came after he launched an "Appeal for Democracy in Vietnam" in February 2001 which received overwhelming support from the Vietnamese community and international personalities (over 300,000 signatures) and following his announced intent to make a humanitarian visit to UBCV Patriarch Thich Huyen Quang.

Furthermore, the FIDH and the Vietnam Committee recall that in August 2001, the Committee for the Elimination of Racial Discrimination (CERD) refused to comply with the affirmation in the periodical report submitted by Vietnam that racism and racial discrimination were non-existent in this country. The Committee demanded explications on population transfers to and from Montagnard lands (cases of ancestral lands confiscated by Vietnamese settlers), and further information on the forced sterilisation of women, religious persecution against Montagnards (ban on conversions to Protestantism, use of torture to force ethnic minorities to renounce religious beliefs, etc.) The organisations believe that an in situ visit is vitally needed to make a realistic appraisal of this situation.

In the light of these grave violations of the right to freedom of opinion, conscience, religion, expression and association, as well as the systematic repression of human rights defenders in Vietnam, the FIDH and the Vietnam Committee on Human Rights therefore call upon the Commission on Human Rights to strongly urge Vietnam to respond favourably to the repeated requests for an in situ visit by the Special Rapporteur on Freedom of Expression, and also to extend an invitation to the Special Representative on Human Rights Defenders to visit Vietnam.

Furthermore, the organisations observe that the Vietnamese authorities did not respect the mandate of the Special Rapporteur on Religious Intolerance during his visit to Vietnam in 1998, and have still not implemented the recommendations of his Report nor that of the UN Working Group on Arbitrary Detention, and have not acceded to their requests for follow-up visits. The organisations therefore call upon the Commission on Human Rights to urge Vietnam to sincerely comply with UN mechanisms by implementing the important recommendations mentioned above.
Vietnam : Systematic Repression of Fundamental Freedoms and the Rights of Human Rights Defenders

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RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND ALL FORMS OF DISCRIMINATION

Written statement* submitted by the International Human Rights Association of American Minorities (IHRAAM), a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[9 February 2002]

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*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE. * 2 0 0 2 0 1 1 1 0 8 *

ENG

I make this statement today as an associate of the International Human Rights Association of American Minorities, (IHRAAM), to raise for your review the issue of ongoing disproportionate incarceration of African Americans by the United States criminal justice system, and in particular the exercise of cruel and internationally illegal forms of punishment against African American juveniles. This continues to be the case, contrary to the non-discrimination articles of both the International Covenant on Civil & Political Rights, and the Convention on the Elimination of All Forms of Racial Discrimination, and despite the fact that the United States is a party to both Conventions.

The racial disparity in the US justice system is unbelievable. Every major civil and human rights organization in America has spoken out against this disproportionate incarceration, including the NAACP, The Urban League, Rev. Jesse Jackson and Rainbow Push Coalition.

This disproportionate incarceration has weighed heavily against African American youth, in particular. In April, 2000, the Building Blocks for Youth initiative released *And Justice For Some: Differential Treatment of Minority Youth in the Justice System*, the most comprehensive report to date on racial disparities in the juvenile justice system. The report, prepared by the National Council on Crime and Delinquency, reveals that youth of color experience more severe treatment than white youth at every stage of the juvenile justice process even when charged with the same offenses – putting them at a "cumulative disadvantage" – throughout the system. The report analyses state and federal data on arrest, referral, detention, case processing, waiver to adult court, and incarceration, building a comprehensive view of the treatment of youth of color in the justice system.

Major findings show:

- African-American youth with no prior admissions were six times more likely to be incarcerated in public facilities than white youth charged with similar offenses. Latino youth were three times more likely than white youth to be incarcerated.

- In every offense category – person, property, drug, public order – a substantially greater percentage of African-American youth were detained than white youth.

- Minority youth are over-represented in the detained population in nearly every state.

- African-American youth are more likely to be formally charged in juvenile court than white youth, even when referred for the same offense.

- Minority youth were much more likely to be waived from juvenile court to adult criminal court than white youth, even when charged with the same offenses. This was true in every offense category.

- Nationally, custody rates were five times greater for African-American youth than for white youth. Custody rates for Latino and Native American youth were two times the custody rate of white youth.

- In 1997, 7,400 new admissions to adult prisons involved youth under the age of 18. Three out of four of these youth were minorities.

In the second Building Blocks for Youth report on the transfer of youth to the adult criminal justice system, the initiative released Youth Crime/Adult Time: Is Justice Served? prepared by Pretrial Services Resource Center in October, 2000. This report is an in-depth analysis of prosecution of youth in adult criminal court in 18 of the largest jurisdictions in the country.

Major findings show:

- Overall, 82% of youth charged in adult criminal courts were minority youth.

- Minority youth were disproportionately charged in adult criminal court. For example, in Jefferson County, Alabama, African-American youth accounted for approximately 3 out of 10 felony arrests, but represented 8 out of 10 felony cases filed in criminal court.

- Minority youths are 8.3 times more likely than white youths to be sentenced by an adult court to imprisonment in a California Youth Authority facility. Also violent nonwhite youth arrestees tried in adult court at least 2 times more than whites. Please note: Black and Asian youths tried in adult court are imprisoned more often--- White-46.5%, Hispanic-40%, Black-75.4%, and Asian-67.2%.

- Nearly two-thirds of all the youth who were detained pretrial were held in adult jails, where previous research shows that youth are at serious risk of assault and suicide.

- White youth are twice as likely as African-American youth to be represented by private retained counsel. Youth who are represented by private retained attorneys were less likely to be convicted and more likely to be transferred back to juvenile court.

- African-American (43%) and Latino (37%) youth were more likely than White youth (26%) to receive a sentence of incarceration (as opposed to a split sentence or probation).

According to The Florida Experiment-by the Justice Policy Institute, reported in 1999, by Vincent Schiraldi and Jason Ziedenberg, the most striking feature of Florida's transferred youth population profiles was the extent to which minority youth are over-represented in the ranks of the youth being referred to adult court. One study conducted by the Florida Department of Juvenile Justice found that black youths were 2.3 times more likely than white youth to be transferred in Florida. Even though non-whites account for 24% of the 10-17 age bracket in Florida, they currently represent 74% of those 10-17 held in the Florida prison system. Please note that Florida is leading the United States in the prosecution of youths as adults. Finally, Bishop and Frazier (1990) found that White juvenile offenders received lesser penalties than their non-White peers for similar crimes committed in Florida. The examination of data over 3 years also revealed that disparities exist at critical decision points in the juvenile justice system, including arrest, detention, and commitment. In summary, differential treatment in the juvenile justice system is not explained by factors such as severity of offense.

Raspberry (1991) noted that Minnesota imposes a 4-year sentence for first-time users of crack cocaine but only probation for first-time users of powdered cocaine. Ninety-two percent of those arrested for crack cocaine possessions were African American, whereas 85% of those arrested for possession of powdered cocaine were White. Obviously, this leads to higher arrest rates among African Americans than their White counterparts. In 1990, the U.S. Department of Justice found

that in New Jersey only 10% of White juveniles were adjudicated and sentenced for first-degree crimes, as opposed to 31% of African American juveniles for the same crimes.

In "To prisons or hospitals: Race and referrals in juvenile justice," published in 1991 in the Journal of Health Care for the Poor and Underserved, R. Cohen cited a number of research studies that document racial bias within the mental health system. In his study, the characteristics of youth placed in a psychiatric facility were compared with those of youth placed in a corrections facility. The results showed that both groups had similar scores on the Child Behavior Checklist, but 63% of the youth in corrections settings were Black as compared with 34% in the psychiatric facility. Furthermore, his research indicated that White children sent to corrections facilities showed more serious signs of emotional and behavioral disorders. He speculated that this finding might reflect a higher threshold for admission of White children.

Research conducted in Maryland revealed that Black children are sent to juvenile jails whereas White children with similar mental disorders, offenses, criminal histories, and mental health problems are placed in residential treatment centers. The Maryland Juvenile Justice Coalition specifically noted that in 1998, 120 White juveniles were sentenced to treatment in Maryland's residential centers and 223 White juveniles were jailed. At the same time, 132 Black juveniles received treatment, while 672 were confined with no treatment (Richissin, 1999).

In conclusion, we would like to raise for the Commission's review a new practice directed primarily against American minority juveniles: that of sentencing children to life imprisonment without parole. This represents a particularly ominous increment in the ill-treatment of juveniles by the United States criminal justice system, which we contend will be once again exercised disproportionately against African Americans. In this regard, we wish to cite the cases of Tyronne Mangum, Lionel Tate and Nate Brazill Jr., all 13-15 years old were sentenced as adults with life imprisonment without parole. This is in clear violation of International human rights covenant agreements, particularly Article 10 (2) (b) of the International Covenant on Civil and Political Rights, stating that "Juvenile offenders shall be … accorded treatment appropriate to their age and legal status."

This egregious new practice follows in the wake of US rulings permitting the execution of juvenile offenders, contrary to recognized and established international norms as expressed in the Second Optional Protocol of the ICCPR. In particular, we wish to remind the Commission of the execution in 2000 of Gary Graham, convicted of an offense committed while still a juvenile, despite an international protest registering concern as to whether Mr. Graham had even been guilty of the offense.

We ask the United Nations Commission on Human Rights and the individual Commission experts to seriously consider whether contemporary U.S. criminal justice policies and practices constitute a pattern of ongoing gross violation of the human rights of African Americans, and seek your assistance in pursuing a remedy.